

IN THE UNITED STATES DISTRICT COURT  
FOR DISTRICT OF SOUTH CAROLINA

Kimberly Taylor (Turner),

Plaintiff,

v.

Dillard's Inc.,

Defendant.

C/A No. 3:24-cv-3005-SAL

**ORDER**

Plaintiff Kimberly Taylor, proceeding pro se, filed this action against her former employer, Dillard's Inc., alleging violation of Title VII of the Civil Rights Act of 1964 ("Title VII"), 42 U.S.C. §§ 2000e, *et seq.*; the Americans with Disabilities Act ("ADA"), 42 U.S.C. §§ 12101, *et seq.*; and the Age Discrimination in Employment Act ("ADEA"), 29 U.S.C. §§ 621 *et seq.* Defendant filed a motion to dismiss in favor of arbitration, which Plaintiff opposes. [ECF Nos. 27, 41, 42.] This matter is before the court on the Report and Recommendation (the "Report") issued by United States Magistrate Judge Paige J. Gossett, made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.), recommending Defendant's motion be granted and this case be dismissed. [ECF No. 44.] Attached to the Report was a notice advising Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences if she failed to do so. *Id.* at 6. Plaintiff has not filed objections, and the time for doing so has expired.


The magistrate judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The court is charged with making a

*de novo* determination of only those portions of the Report that have been specifically objected to, and the court may accept, reject, or modify the Report, in whole or in part. 28 U.S.C. § 636(b)(1). In the absence of objections, the court is not required to provide an explanation for adopting the Report and must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (citing Fed. R. Civ. P. 72 advisory committee’s note).

After reviewing the Report, the applicable law, and the record of this case in accordance with the above standards, the court finds no clear error, adopts the Report, ECF No. 44, and incorporates it by reference herein. Accordingly, Plaintiff’s claims are **DISMISSED without prejudice** so that the parties may arbitrate their dispute.

**IT IS SO ORDERED.**

January 24, 2025  
Columbia, South Carolina

  
Sherri A. Lydon  
United States District Judge